

REMARKS

Status of the claims:

With the above amendments, claims 5-6 and 26-31 have been canceled, claims 1-4, 7-12, and 16-23 have been amended, and claims 13-15, 34-37, 39, and 41-63 were previously canceled. Thus, claims 1-4, 7-12, 16-25, 32-33, 38, and 40 are pending and ready for further action on the merits. No new matter has been added by way of the above amendments. Claim 1 has been amended by the incorporation of the subject matter of claim 6. Claims 2-4, 7-12, and 16-23 have been amended by the incorporation of the phrase “or solvate”, which has support at page 316, line 29, among other places. Reconsideration is respectfully requested in light of the following comments.

Claim 31 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement and claims 1-5, 7-12, 16, 19, 22, 24-33, 38 and 40 stand rejected under 35 U.S.C. §103.

Rejections under 35 U.S.C. §112, first paragraph

Claim 31 is rejected under 35 U.S.C. § 112, first paragraph as allegedly not being enabled.

Applicants have canceled claim 31 so this rejection is moot. Withdrawal of the rejection is warranted and respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-5, 7-12, 16, 19, 22, 24-33, 38 and 40 are rejected under 35 U.S.C. § 103 as being unpatentable over Heerding et al. (WO 2000/71120). Applicants traverse.

Heerding et al. fail to disclose compounds that contain a vinyl group as are presently claimed in the instant application. Accordingly, Applicants submit that a proper *prima facie* obviousness rejection is no longer present. Withdrawal of the rejection is warranted and respectfully requested.

Restriction Requirement/ Election of Species

Applicants have amended claim 1 by incorporating the subject matter of claim 6 into claim 1. Applicants believe that with this amendment that the subject matter of claim 1 now comports with the Examiner's initial restriction requirement/election of species.

Fees

Applicants respectfully request a one month extension. No additional fee beyond the extension fee is believed due, however, should a fee be deemed to be necessary, the Commissioner is hereby authorized to charge any fees required by this action or any future action to Deposit Account No. 16-1435.

CONCLUSION

With the above amendments and remarks, Applicants believe that all objections and/or rejections have been obviated. Thus, each of the claims remaining in the application is in condition for immediate allowance. Passage of the instant invention to allowance is earnestly solicited.

Should the Examiner have any questions relating to the instant application, the Examiner is invited to telephone the undersigned at (336) 607-7486 to discuss any issues.

Respectfully submitted,

Date: April 17, 2008

Ben Schroeder

T. Benjamin Schroeder (Reg. No. 50,990)

KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, North Carolina 27101-2400
Phone: (336) 607-7486
Facsimile: (336) 607-7500